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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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2–20 July 2018
Item 4 of the provisional agenda
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the eighth periodic report of Cyprus

Women and peace and security

1. Given that the State party does not have effective control over its entire territory, and with reference to paragraphs 7 and 8 of the report of the State party (CEDAW/C/CYP/8)[1] and the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, please provide information on measures taken to promote the crucial role of women as a force for peace and for rebuilding stability, in line with Security Council resolution 1325 (2000), to address existing obstacles to participation by women in conflict prevention, management and resolution efforts and to address gaps in according the necessary protection in this context to all women and girls, in particular those in the territory not under the effective control of the State party, who may be vulnerable to exploitation and abuse, including trafficking in persons. These efforts may include continued cooperation between the military, the police and civilians in the bicommunal Technical Committee on Crime and Criminal Matters and the Technical Committee on Humanitarian Matters and its Subcommittee on Domestic Violence.

2. Please provide information about measures taken to ensure the continued operation of the Technical Committee on Gender Equality and the consideration given to its findings and recommendations regarding the mainstreaming of a gender perspective in the peace process, in line with Security Council resolutions 2263 (2016) and 2300 (2016), in which the Council deemed the active participation of civil society groups, including women's groups, as essential to the political process and the sustainability of any future settlement.

Note: The present document is being circulated in English, French and Spanish only.

[1] Unless otherwise indicated, paragraph numbers refer to the eighth periodic report of the State party.

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Constitutional and legislative framework

3. In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please indicate any legislation or other binding framework to promote, enforce and monitor equality and the principle of non-discrimination on the basis of sex, including direct and indirect discrimination in the private and public spheres, in addition to intersecting forms of discrimination, in line with all relevant provisions of and in all areas covered by the Convention.

Access to justice and legal complaint mechanisms

4. Please provide information on any instances in which the Convention has been invoked by individuals, applied directly or referred to in court proceedings in the State party and indicate the number, nature and outcome of cases of discrimination against women, the sanctions applied to perpetrators and the remedies provided to victims. Please provide the outcome of the complaints of sex-based discrimination received by the Commissioner for Administration and Human Rights (para. 29). Please clarify whether the Commissioner has a mandate to accept complaints relating to all areas covered by the Convention. Please also specify how many women have used free legal aid programmes to bring claims of discrimination or to enforce their right to equality, and describe measures taken to make such services more accessible to women, in particular migrants.

National machinery for the advancement of women

5. In view of the State party's commitment to attaining Sustainable Development Goal 5, please clarify whether the Commissioner for Gender Equality is the institution responsible for ensuring that gender mainstreaming is consistently applied in the development and implementation of all laws, regulations, policies and programmes. Please provide information on the percentage of the national budget allocated to the Commissioner and the National Machinery for Women's Rights, the sufficiency of the financial, human and technical resources allocated and the authority accorded to those entities to allow for the fulfilment of their mandates. Please inform the Committee about the impact of the recent reorganization of the national machinery for the advancement of women on increased and strengthened coordination among all relevant entities in the State party, including those at the local level. Please also provide information on the outcome of any midterm assessment of the effectiveness of the national action plan on gender equality, covering the period 2014–2017, and intentions to renew or extend the action plan on the basis of that outcome.

National human rights institution

6. Please update the Committee on progress made towards strengthening the compliance of the Commissioner for Administration and Human Rights with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including steps taken to reapply for "A" status with the Global Alliance of National Human Rights Institutions, with a view to ensuring the entity's independence and effectiveness in addressing, among other things, cases of discrimination against women in all areas covered by the Convention.

Temporary special measures

7. Please provide further details on efforts, and the results thereof, to familiarize officials with the concept of temporary special measures, in accordance with

article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to accelerate the full and equal participation of women in all areas covered by the Convention in which they are disadvantaged or underrepresented.

Stereotypes

8. In view of the Committee's previous recommendations (CEDAW/C/CYP/CO/6-7, para. 16), please provide detailed information on specific strategies in place to counter stereotypical attitudes that are discriminatory towards women, including with regard to those women and girls who experience multiple forms of discrimination owing to their age, disability, migrant status or other characteristics, as well as to enhance a positive and non-stereotypical portrayal of women. Please provide examples of the activities carried out by the committee responsible for the elimination of stereotypes and social prejudice and their impact on addressing gender stereotypes that are discriminatory towards women and girls.

Gender-based violence against women

9. In the light of the recent ratification by the State party of the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), which provides an opportunity to revisit the laws and institutional set-up with regard to combating gender-based violence against women, please provide the Committee with a timeline for the development and adoption of a comprehensive law on combating all forms of violence against women, incorporating the Istanbul Convention into national law, identifying or establishing a mechanism to monitor its implementation and allocating appropriate financial and human resources for its implementation. In accordance with the State party's obligation under the Convention on the Elimination of All Forms of Discrimination against Women, and in line with target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, please update the Committee on steps taken to enhance the protection of women, including by increasing access to specialized services for victims of sexual and gender-based violence, such as expanding the number and geographical coverage of shelters staffed with adequate and appropriately trained legal, social, psychological and other medical personnel.

10. Please indicate whether training provided to police officers and social and health workers in the implementation of the legislative framework, including the Violence in the Family (Prevention and Protection of Victims (Amendment)) Law of 2015 and the law passed in 2016 to incorporate into national law Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, is mandatory and whether such training, in addition to capacity-building for the judiciary, has led to an increase in the number of investigations into domestic and sexual violence, including marital rape, and prosecutions and convictions of the perpetrators. Please provide the outcome of any assessment of the effectiveness of the national action plan for the prevention and combating of family violence, which covered the period 2010–2013, and of the activities of the Advisory Committee for the Prevention and Combating of Domestic Violence in combating violence against all women, including migrants.

11. Please provide information on the State party's consideration of the recommendations contained in the reports listed in paragraph 78 regarding the lack of structures to support victims of sexual violence, the prevention and penal system handling of sexual violence against women and the necessity of drafting a national strategy on the prevention and management of sex crimes. Please provide the outcome

of the research undertaken on the prevalence of domestic violence in the State party and its consequences for women's health (para. 33). Please also provide information on efforts to ensure that the systematic collection of data is not limited to cases of domestic violence but rather includes all forms of violence perpetrated against women, including rape and sexual harassment.

Trafficking and exploitation of prostitution

12. Please report on the impact of the implementation of the anti-trafficking law of 2014, its accompanying national action plan covering the period 2013–2015, the multidisciplinary coordinating group engaged in combating trafficking in persons and the establishment of a national referral mechanism on curtailing trafficking in women and girls for sexual and labour exploitation in the State party. Please also inform the Committee of the State party's response to the recommendations emanating from the report, issued in 2013, of the Commissioner for Administration and Human Rights concerning possible deficiencies of the anti-trafficking framework. Please indicate whether a decision of the Ministry of the Interior to revoke a temporary residence permit or registration certificate of a victim of trafficking for reasons including the discontinuance of criminal proceedings or the non-cooperation of the victim with the authorities in legal proceedings against traffickers may be challenged by way of judicial review and describe the impact of such revocation on the ability of victims to gain access to physical, psychological and rehabilitation services under article 47 of the anti-trafficking law.

13. Please indicate the impact of measures taken by the State party to prevent the trafficking of women as domestic workers, including sanctions applied to any private employment agencies under the legislation passed in 2012 for involvement in the sexual and labour exploitation of migrant women and in trafficking networks (CEDAW/C/CYP/CO/6–7/Add.1, paras. 22–23). Please provide an update on the status of ratification of the Private Employment Agencies Convention, 1997 (No. 181), of the International Labour Organization. Please indicate whether the State party has assessed the new visa regime governing migrant women from European Union countries and the prevalence of trafficking in persons in the State party. Please update the Committee on steps taken to increase the number and coverage of shelters for victims of trafficking.

14. Please provide information on measures taken to address the high number of migrant women working in prostitution and exposed to exploitative circumstances, including sexual and physical violence. Please also provide information on the development of strategies to prevent the exploitation of prostitution, on the availability of exit programmes for women in prostitution and on any awareness-raising measures to eliminate the demand for prostitution and the objectification of women and girls, as well as the resources allocated to those measures.

Participation in political and public life

15. Notwithstanding the Committee's recommendation that the State party take all measures necessary to increase the representation of women in elected and appointed bodies, including that it consider adopting temporary special measures (CEDAW/C/CYP/CO/6–7, para. 22 (b)), little progress has been made regarding the executive and legislative branches, especially at the municipal level. According to information before the Committee, the Supreme Court, upon referral by the President of the State party (para. 49), unanimously struck down as unconstitutional a bill, enacted in 2016, proposing a statutory quota of 30 per cent for the representation of women or men on the boards of directors of semi-governmental organizations. Please comment on any initiative to amend the equality clause of the Constitution in order to correct that ruling and thus enable the full and equal participation of women in

public life, including on such boards of directors. Please indicate what measures, including measures to address prevailing patriarchal stereotypes, legislative and other temporary special measures, the State party has taken, or envisages taking, to increase the representation of women in all elected and appointed public bodies. Please inform the Committee about any voluntary gender quota introduced by political parties for nominations in national and local elections. Please provide data on the percentage of women who are high-level representatives of the State party at the international level.

Nationality

16. Please inform the Committee about progress made towards the adoption by the parliament of the bill for the ratification of the 1954 Convention relating to the Status of Stateless Persons, intended to ensure non-discrimination in the enjoyment of human rights by stateless persons, including women and girls, and steps taken for the ratification of the 1961 Convention on the Reduction of Statelessness, intended to establish safeguards to prevent statelessness at birth, including of girls.

Education

17. Notwithstanding the implementation by the State party of a strategic action plan on gender equality and an action plan on education, both covering the period 2014–2017, which provide for measures relating to traditional educational choices of women and girls, the enrolment rates of girls in upper secondary technical education (21.8 per cent) and in engineering (16.3 per cent) remain low. Please provide information on steps taken to assess the lack of impact of the plans and on measures under development to diversify educational and academic choices, including in non-traditional fields. Please indicate whether the State party monitors the incidence of harassment, including sexual harassment, of women and girls in the education system, other than at the Cyprus University of Technology pursuant to its gender equality plan covering the period 2014–2020, which includes training on promoting gender equality and combating sexual harassment (para. 25 (d)). In addition, please provide information about the status and anticipated impact of the bill criminalizing harassment and stalking once it becomes law (para. 60 (a)). Please provide further information on the implementation of the health education curriculum and the areas that it covers (para. 114 (a)), including whether it includes gender identity issues and where it is taught. Please also provide information on measures to integrate asylum-seeking, refugee and migrant women and girls into the education system at all levels. The Committee notes that the decision by the Council of Ministers to establish a school in Limassol with Turkish as the language of instruction has not been implemented because a survey conducted in 2005 among Turkish Cypriot parents indicated that they favoured attendance at a public school in their area (para. 111). Please clarify the reasons for the non-implementation of this project.

Employment

18. Please indicate the impact of measures taken to reduce and ultimately close the alarming gender pension gap of more than 40 per cent and the significant gender pay gap (23.4 per cent in the private sector as at March 2017, according to Eurostat), including information on the results of the checks on the implementation of equal pay legislation carried out by equality inspectors in 2015, the impact of the certifications awarded by the gender pay gap certification body, the awareness-raising training programmes for primary and secondary school teachers, career counsellors and parents carried out from 2013 to 2015, the outcome of the examination of collective agreements in 2013 and the impact of training for members of trade unions, employers' associations and professional associations concerning the gender pay gap.

19. Please provide further information on measures taken to encourage women to participate in areas of the formal labour market that have traditionally been occupied by men, including in the fields of engineering, science and technology and, specifically, in the implementation of the State party's sustainable development strategies. Please also update the Committee on measures to mitigate the impact of the financial and economic crisis on women, including on the impact of the national strategy on social policy, which covers the period 2014–2020, and in particular on the progress of recovery.

20. Please indicate urgent measures taken to tackle discrimination in the labour market against pregnant women, in particular those from a migrant background, in relation to hiring, career advancement, conditions of employment, pay and denial of paid maternity leave. Please also provide information on measures taken or envisaged to prohibit the conclusion of employment contracts that exclude participation in any political action by or trade unions of migrant domestic workers, the overwhelming majority of whom are women (according to information before the Committee, more than 96 per cent). Please provide information on steps taken towards the ratification of the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.

Health

21. Please provide information on the impact of measures taken to eliminate the barriers that women face in gaining access to health-care services, including on which stages of the road map of the national health insurance system have been reached or how they are expected to be reached (para. 139), and in relation to vulnerable groups of women, including older women, pursuant to the strategic plan on health care, covering the period 2016–2018, and the national action plan on minimizing the consequences of the economic crisis in public health care, which covered the period 2013–2015. Please also provide justification for the failure to adopt legislation on mandatory reporting of abortions in the State party as a prerequisite for conducting research on unsafe abortions and their impact on women's health and maternal mortality, as previously recommended by the Committee (CEDAW/C/CYP/CO/6–7, para. 30 (c)). Given the absence of information in the report on measures taken to make all modern methods of contraception available in an affordable manner to women and girls, including migrants, please provide relevant information in this context.

Refugee and asylum-seeking women

22. Please provide updated statistical data, disaggregated by sex and geographical location, on refugees and asylum seekers, information on whether a gender-sensitive approach is systematically applied for the determination of asylum applications that recognizes, among other things, gender-based persecution and information on whether training and guidelines are provided to law enforcement officials and border guards on how to deal with asylum applications based on gender-related persecution and provide protection to refugee and asylum-seeking women and girls. Please also provide information on the sectors of the economy in which asylum seekers, including women, are entitled to work after nine months from the date of submission of their application (para. 163). Please also provide data, disaggregated by sex, about the number and status of asylum-seeking, refugee and migrant women in administrative detention and the measures taken for their protection, given that the detention of women who are victims of torture, trafficked women and pregnant women is not prohibited in the State party.

Sustainable development and climate change

23. In line with target 13.3 of the Sustainable Development Goals, to improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning, please indicate efforts made to ensure that the development and implementation of policies and programmes relating to the mitigation of disasters, disaster preparedness, post-disaster management, response to disasters, the impact of climate change and other emergencies are based on a comprehensive gender analysis, to ensure that the equal participation of women and girls, in particular those residing in low-lying coastal areas, in policy and programme-making processes in that regard is guaranteed and to ensure that women are represented in the engineering, scientific and technology-related occupations that are engaged in tackling the effects of climate change. Please also specify whether disaster risk reduction and climate change policies and programmes include measures that ensure that women are not subjected to discrimination when accessing livelihood support following disasters, are protected against gender-based violence against women in evacuation centres, are adequately represented in disaster preparedness and response structures and are taught how to swim and climb from early childhood. Please further indicate whether the State party ensures that humanitarian assistance includes all items necessary for sexual and reproductive health, including female hygiene.

Marriage and family relations

24. Please provide the Committee with the results of the study on the economic consequences of divorce on both spouses, focusing on gender-based disparities, which was commissioned by the Ministry of Justice and Public Order in 2016 as previously recommended by the Committee (CEDAW/C/CYP/CO/6-7, para. 36 (b)). Please clarify whether the study covered the economic consequences of dissolution of cohabitation, given that the law providing for opposite-sex and same-sex cohabitation and civil unions was adopted only in 2015 and that as at January 2017 only 88 such civil unions had been solemnized (para. 175).

Data collection

25. Please provide comprehensive statistical data, including data disaggregated by sex, and additional information deemed relevant regarding legislative, policy, administrative and any other measures taken to implement the provisions of the Convention and the Committee's recommendations since the submission of the report pertaining to the areas covered by the Convention so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and the promotion of substantive equality of women with men. Please note that, further to the issues raised herein, the State party is expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.